SINGLE BENCH

IN THE HON'BLE HIGH COURT OF CHHATTISGARH

AT BILASPUR

M.C.C. NO. 391 /2007

APPLICANT :- Sntosh kumar yadav
S/o Mahru Ram Yadav
Aged About 27 Years
R/o Lakhenagar Dhal
Tudrapariya Travels
Lakhenagar Chowk,
Tahsil & District Raipur(C.G.)
(OWNER OF THE VEHICLE)

R.R. No. 2790/07
Presented by Shri Laxmanlal Jain Mishra
Dated 11-09-2007

VERSUS

RESPONDENTS 1) Smt. Vasugi Sahu
W/o Late Loknath Sahu
Aged about 38 years,
R/o Shivnagar, Raipur,
Tahsil & District Raipur (C.G.)

2) Yogesh Kumar Sahu
S/o. Late Loknath Sahu
Aged about 15 years
(Respondent no. 1 & 2 are claimants)

14/09/07

3) Krishna Kumar Kadra
S/o. Bishakhu Ram Kadra
Aged About 27 Years'
C/o. Through : Sntosh Kumar
Yadav S/o MahruRam Yadav,
Lakhenagar Dhal, Ruddrapria
Travels, Lakhenagar Chowk,
Tah & Disst Raipur (CG)
(Driver Of The Vehicle)

14/09/07

4) 3) The Oriential Insurance Company
Through : Divisional Manager
Divisional Office, Kachhari
Chowk, Madina Building, Jail
Road, Tah/ & Disstt Raipur
(C.G.)
(Insurer Of The Vehicle)

OATH COMMISSIONER
APARNA MALVIYA
CG-2073/98
Bilaspur Chhattisgarh

(2)

(4)

APPLICATION FOR RESTORATION OF THE MISCELLANEOUS APPEAL (CLAIM)

...nder:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ, बिलासपुर

आदेश पत्रक

मामला क्रमांक MCC No 391/07 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

5.10.2007

Mr. Vivek Rathore, Advocate for the applicant.

Heard on I.A. No.1, an application for condonation of delay in filing the petition for restoration of M.A. [c] No.757/07, as the same has been preferred with a delay of 46 days.

Reasons assigned for filing this restoration application with delay is the illness of the appellant.

For the reasons indicated in the application, the same is allowed and the delay is condoned.

Also heard on M.C.C. No.391/07, an application for restoration of M.A. [c] No.757/07.

This Court vide order dated 20.6.2007 had passed a preemptory order that if the appellant does not file the deposit receipt of the awarded amount, as per Section 173 of the Motor Vehicles Act, 1988, within a period of one week, the appeal shall be dismissed and accordingly on default of the appellant in filing the receipt in stipulated period, the appeal was treated dismissed for non-compliance of the preemptory order dated 20.6.2007 on 3.7.2007.

Since the appellant has now deposited the receipt of the award amount, the M.C.C. is allowed and the miscellaneous appeal is restored to its original number subject to appellant's depositing a sum of Rs.500/- with the High Court Legal Aid Committee within a period of 15 days and files the receipt of the same in the matter.

Sd/-
Dhirendra Mishra
Judge